Mr. SPEAKER.—For a Call Attention Notice, under Rule 63, the matter must be of urgent public importance. This alleged misappropriation happened months or years back. The hon. Member has not given the date of occurrence of the incident in his notice. Rule 63, is not the proper rule under which it can be raised. Hence. I have disallowed it. I do not know if the hon. Member has been informed of that ; if he has not been informed, he will be informed accordingly.

Sri B. B. SAYANAK (Belgaum).—Sir, I have given notice of a Call Attention and it has been admitted. But, it has not come up as yet. I think, intentionally, my questions are not taken up.

Mr. SPEAKER.—It will come up in due course.

Calling Attention to Matters of Urgent Public Importance

(i) *Re* :—Extension of Servcices to some Forest Officers

Sri H. SIDDAVEERAPPA.—Sir, I call the attention of the Minister of State for Forests to the second extension of sevice given to some Forest Officers contrary to the Judgment of the High Court of Mysore in a Writ Petition.

Sri ALUR HANUMANTHAPPA (Minister of State for Forests).—Sir, I wish to place the following facts before the House.

1. The State Government decided to participate in the scheme for the creation of All India Services in Forestry during 1964. In pursuance of this decision, Government of India appointed 42 Officers of the State Forest Service with the effect from 6th October 1966 in their Notification Nos. (1) 3/20/66-AIS (IV) dated 15th July 1967; (2) 3/47/67 AIS (IV) dated 29th May 1968 and (3) 3/24/68-AIS (IV) dated 30th April 1969. After the publication of the first two lists, some of the Officers who were not selected to the I. F. S. challenged the selections made by the Government of India and obtaiend orders of stay from the High Court of Mysore. During the pendency of the writ petition as also the stay order, 5 Officers selected to the I. F. S. Cadre, who were now virtually State Forest Officers, had attained the age of superannuation. Government, in exercise of its powers under rule 95 (a) of M. C. S. Rs. extended their services for a period of one year.

2. Subsequently, the High Court of Mysore vacated the stay order and the State Government implemented the I. F. S. Scheme by issuing posting orders to the 42 Officers who were selected by the Government of India. At this stage. a batch of officers from the State Forest Department again assalied the selection of Officers to the I. F. S. The High Court allowed these writ petitions by its orders dated 25th July 1969 following the decision of the Supreme Court in Kraipak's case on

the ground that the selection was vitiated in view of the participation of the Chief Conservator of Forests who was himself a candidate for selection, on the Selection Board and quashed the selection of all the Officers selected to the Indian Forest Service. The implication of the aforesaid order is that all the officers selected to I. F. S. are virtually State Forest Officers.

3. In the meantime 2 of the 5 Officers whose services were extended for a period of one year were to retire after the extended period. Clarification was sought from the Government of India as regards the future course of action to be taken in regard to the continuance or otherwise of the Officers selected from the State Service to the I. F. S. and who had attained the age of superannuation and continued beyond 55 years.

4. Government of India have informed that they have not so far received a copy of the judgment of the High Court from the Central Government Pleader to examine the legal implications and to take a final decision regarding the future course of action of implementation of the High Court's Judgment.

In the circumstances Government have considered the matter and further extended the services in respect of only two Officers until further orders under rule 95 (a) of M. C. S. Rs.

Sri H. SIDDAVEERAPPA.—Sir, from what the Hon'ble Minister just now read in his statement, will this not amount to a contempt of the order of Court, when contrary to the order of the High Court in a Writ Petition, they have again extended the period of service of two officers of their choice and at the same time giving a clean go-by to the seniority of others according to the old seniority cadre ?

Sri ALUR HANUMANTHAPPA.—Sir, I beg to submit that there is no question of contempt here, because the officers are of I. F. S. cadre and we have implemented the I. F. S. cadre here. In view of some technical difficulty, the High Court has quashed the list of I. F. S. We have made it clear to the Government of India as to what we should do, and Government of India have said that they have not yet received the judgement copy. So, we have continued their services.

Sri H. SIDDAVEERAPPA.—Is not the Government aware that the entire list of 42 to 44 officers has been quashed ? When such is the case, how can the Hon. Minister say that the I. F. S. list is there. The I. F. S. list is quashed by the High Court.

Sri ALUR HANUMANTHAPPA.—Government of India are also a party to this. When they have not yet received the judgement of the High Court, they have asked the State Government to maintain the *Status quo*.

Sri H. SIDDAVEERAPPA.—They had no right to do that. The officers were given extension on the plea that they are I. F. S. Officers. Is this the way to treat the High Court judgement ?

Sri M. S. KRISHNAN.—You were aware of the Supreme Court judgement quashing the selection to the Indian Forest Services in Jammu and Kashmir State. When that is the position why are you creating such a situation here ?

Sri ALUR HANUMANTHAPPA.—The list was quashed on some technical grounds. We have yet to receive the copy of the judgement of the High Court.

Sri M. S. KRISHNAN.—When there are more than 5 vacancies, why have you given extension to the older elements when there are younger elements available ?

Sri ALUR HANUMANTHAPPA.—The Government has decided to continue the services of the older elements since the list that was selected was quashed.

(ii) *re* : Hungerstrike by the workers of the Government Soap Factory, Bangalore.

Sri G. CHANDRAKANTH (Bidar).—I call the attention of Minister for Law, Labour and Parliamentary Affairs to the hunger strike undertaken by the workers of the Government Soap Factory, Bangalore.

Sri K. PUTTASWAMY.—The Hon. Members have given notice to call my attention to the hunger strike undertaken by the workers of the Government Soap Factory, Bangalore.

There are two Trade Unions in the Government Soap Factory :— The workers and staff Association and the Government Soap Factory Employees' Union. During 1967 the Workers and Staff Association of Government Soap Factory placed a charter of demands before the management of the Government Soap Factory. This charter of demands contained about eleven demands pertaining to revision of pay scales, production bonus, promotion, suspension wages, leave facilities, uniforms, etc. The Deputy Labour Commissioner took up these demands in conciliation and fixed up a conciliation meeting in November 1967. Meanwhile the conciliation officer received a representation from the Government Soap Factory Employees' Union, enclosing a copy of demands presented to the management of the Government Soap Factory. In this representation the Union claimed that it represents the majority of the employees. Since there had been no verification so far as to which Union enjoys the confidence of the workers and had membership of the majority of the workers and as the charter of demands submitted by the Employees' Union was more or less the same as submitted by the Workers and Staff Association, the conciliation Officer considered it necessary and desirable to make this Union also a party to the dispute.

During the conciliation proceedings, it was not possible to come to any agreement. The Conciliation proceedings therefore ended in a failure.

Even though the conciliation proceedings ended in failure, the management were carrying on negotiations with the workers for arriving

at some settlement in respect of all the outstanding demands. To enable the management to enter into some amicable settlement with the workers, the Government did not take a decision regarding reference of the dispute to adjudication.

The management of the Government Soap Factory informed the State Government on 18th August 1969 that they have signed a settlement on 16th August 1969 with the Government Soap Factory Employees' Union. This agreement is binding between the management and the workers who are members of this Union. On perusal of this agreement it is seen that the issues cover most of the demands raised by the Workers and Staff Association.

The Government is examining the desirability or otherwise of referring the pending dispute to adjudication in the light of the above agreement.

Sri G. CHANDRAKANTH.—It has been stated that there are two Associations. I want to know which of the Association is recognised.

Sri K. PUTTASWAMY.—I have made it clear that none of them is recognised.

ಶ್ರೀ ಬೋಳಾ ರಘುರಾಮ ಶೆಟ್ಟಿ (ಕಾರ್ಕಳ).—ಇವೆರಡು ಯೂನಿಯನ್‌ಗಳಲ್ಲಿ ಯಾವ ಯೂನಿಯನ್ನಿನಲ್ಲಿ ಮೆಜಾರಿಟಿ ಇದೆ ಮತ್ತು ಯಾವುದನ್ನು ಮುಂದುವರಿಸಬೇಕೆಂದು ಕೇಳುತ್ತಾರೆ ?

Sri K. PUTTASWAMY.—I cannot say which of the two unions commands majority. To the latter portion of the question I cannot give any answer.

Sri SIDDIAH KASHIMATH.—May I know to which of the political parties these two rival Unions are affiliated ?

Sri K. PUTTASWAMY.—I am not aware of that.

Eleventh Report of the Committee on Private Members' Bills and Resolution

(Presentation)

Sri D. MANJUNATH (Hiriyur).—I present the Eleventh Report of the Committee on Private Members' Bills and Resolutions.

Sri G. CHANDRAKANTH.—I beg to move :

"That this Assembly agrees with the Eleventh Report of the Committee on Private Members' Bills and Resolution."

Mr. SPEAKER.—The question is :

"That this Assembly agrees with the Eleventh Report of the Committee on Private Members' Bills and Resolutions."

The motion was adopted.

Mr. SPEAKER.—The report is adopted.